

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Lilly Bateman	CHRB-003-0014
Debra Patricia Martinez	CHRB-003-0016
Larry Martinez	CHRB-004-0011
Jose B. Cordova	CHRB-004-0029
Pedro Romero	CHRB-005-0019
Dolores L. Maez	CHRB-006-0032
Emery Maez	CHRB-006-0032
Jose Lucas Martinez	CHRB-006-0041
Nicolas Martinez Estate	CHRB-007-0021
Letitia Rhodes	CHRB-007-0034
Diolinda Varoz	CHRB-007-0047

Elaine L. Mayer CHRB-009-0002

Fredrick L. Mayer CHRB-009-0002

Ernesto R. Ulibarri CHRB-009-0008

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the above-named defendants as shown by waivers of service of summons by Lilly Bateman (Doc. No. 6603), Debra Patricia Martinez (Doc. No. 6603), Larry Martinez (Doc. No. 7463), Jose B. Cordova (Doc. No. 6710), Pedro Romero (Doc. No. 6603), Dolores L. Maez (Doc. No. 6603), Emery Maez (Doc. No. 6603) Jose Lucas Martinez (Doc. No. 6603), Nicolas Martinez Estate (Doc. No. 6603), Letitia Rhodes (Doc. No. 6710), Diolinda Varoz (Doc. No. 6710), Elaine L. Mayer (Doc. No. 7115), Fredrick L. Mayer (Doc. No. 7115), and Ernesto R. Ulibarri (Doc. No. 7326).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed January 18, 2005 (Doc. No. 7713).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the December 18, 2001 Rio Chama Hydrographic Survey for Section 7, Rio Brazos.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion for Default Judgment were mailed to following persons on May 27, 2005.

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